

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP 03/50348

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K38/25 A61K38/27 A61K38/30 A61K48/00 A61P25/16

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, WPI Data, PAJ, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category ^a	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02 17951 A (UNIV COLORADO RES ;ISHII DOUGLAS N (US)) 7 March 2002 (2002-03-07) claims 1-15 page 3, line 14 - line 20 page 3, line 21 -page 4, line 10 ---	1-38
X	WO 97 21449 A (UNIV COLORADO RES) 19 June 1997 (1997-06-19) claims 1-18 Example 3, in particular p 16 lines 24-27 page 4, line 17 - line 27 ---	1-38 -/-

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the International filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the International filing date but later than the priority date claimed

- "T" later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the International search

27 October 2003

Date of mailing of the International search report

04/11/2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Fayos, C

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	AABERG N D ET AL: "GROWTH HORMONE INCREASES CONNEXIN-43 EXPRESSION IN THE CEREBRAL CORTEX AND HYPOTHALAMUS" ENDOCRINOLOGY, BALTIMORE, MD, US, vol. 141, no. 10, October 2000 (2000-10), pages 3879-3886, XP001029195 ISSN: 0013-7227 abstract page 3879, column 1 -column 2, paragraph 1 Discussion	1-38
Y	US 5 869 452 A (NATERA SIRIA HELEN-ANNA ET AL) 9 February 1999 (1999-02-09) column 2, line 14 ~ line 56 claims 1-5	1-26, 32-38
Y	US 5 736 515 A (BENGSSON BENGT-ANGSTROM KE ET AL) 7 April 1998 (1998-04-07) column 2, line 6-11 Discussion: column 9, line 35 -column 12, line 27	1-38
Y	WO 02 28437 A (ARES TRADING SA ;PIQUET GILLES (IT); BARBERO LUCA (IT); GATTI MONI) 11 April 2002 (2002-04-11) the whole document	25,26
Y	WO 00 42175 A (COX GEORGE N ;BOLDER BIOTECHNOLOGY INC (US); DOHERTY DANIEL H (US)) 20 July 2000 (2000-07-20) the whole document	25,26
A	GILMAN S ET AL: "CONSENSUS STATEMENT ON THE DIAGNOSIS OF MULTIPLE SYSTEM ATROPHY" JOURNAL OF THE AUTONOMIC NERVOUS SYSTEMS, ELSEVIER, AMSTERDAM, NL, vol. 74, no. 2/3, 1998, pages 189-192, XP001029429 ISSN: 0165-1838 the whole document	1-38

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-4, 24-25, 32-38 (partially)

Present claims 1-4, 24-25, 32-38 relate to an extremely large number of possible compounds which are defined by reference to desirable characteristics or properties, namely "a substance which binds to and initiates signaling of the human growth hormone receptor or a substance which stimulates release or potentiates the activity of endogenous hGH", a substance as defined in claim 4 b)-e) and claim 24 b)-e).

The claims cover all compounds having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible.

Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compounds by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible.

Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to compounds being hGH, hGHRH, IGF as well as the compounds of claims 5-17 and 28 and the fragments and variants thereof explicitly mentioned in the description on p 15 line 5 - p 16 line 4.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.: **1-4, 24-25, 32-38 (partially)**
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
- No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 03/50348

Patent document cited in search report	Publication date		Patent family member(s)	Publication date
WO 0217951	A 07-03-2002	AU CA EP WO	8844301 A 2419561 A1 1313499 A1 0217951 A1	13-03-2002 07-03-2002 28-05-2003 07-03-2002
WO 9721449	A 19-06-1997	AT CA DE EP JP WO	236652 T 2240327 A1 69627379 D1 0874641 A1 2000514038 T 9721449 A1	15-04-2003 19-06-1997 15-05-2003 04-11-1998 24-10-2000 19-06-1997
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WO 0228437	A 11-04-2002	AU CA WO EP	9558901 A 2422707 A1 0228437 A1 1324777 A1	15-04-2002 11-04-2002 11-04-2002 09-07-2003
WO 0042175	A 20-07-2000	AU BR CA CN EP JP WO	2413300 A 0008759 A 2359345 A1 1355842 T 1144613 A1 2002534119 T 0042175 A1	01-08-2000 06-08-2002 20-07-2000 26-06-2002 17-10-2001 15-10-2002 20-07-2000